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TO: Commissioner for Patents
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JAN 31 2005

Number of pages (including this cover page): 6

In re patent application of:

Group Art Unit: 1645

NORMAN et al.

Examiner: Baskar, P.

Appln. No. 10/712,654

Confirmation No. 8961

Filed: November 12, 2003

Docket No.: GP141-03.UT

Title: ASSAY AND COMPOSITIONS FOR
DETECTION OF BACILLUS
ANTHRACIS NUCLEIC ACID

Date: January 31, 2005

IDS via Facsimile includes the following documents:

1. Information Disclosure Statement under 37CFR 1.97(b) - 2 pg.
2. Transmittal form PTO/SB/22 - 1 pg.; and
3. Form/SB/08A (1 page in duplicate) - 2 pg.

I hereby certify that this correspondence, along with the attached documents, is being facsimile transmitted to the US Patent and Trademark Office (FAX No. 703-872-9306) on the date indicated below.

Date: January 31, 2005

By:


Christine A. Gritzmacher
Registration No. 40,627

PTO/SB/21 (09-04)

Approved for use through 07/31/2006, OMB 0651-0031

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

8

Application Number 10/712,654

Filing Date Nov. 12, 2003

First Named Inventor Sylvia A. Norman

Art Unit 1845

Examiner Name Barker, P.

Attorney Docket Number GP141-03.UT

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<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
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<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Gen-Probe Incorporated		
Signature	<i>Christine A. Gritzmacher</i>		
Printed name	Christine A. Gritzmacher		
Date	January 31, 2005	Reg. No.	40,627

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	<i>Christine A. Gritzmacher</i>		
Typed or printed name	Christine A. Gritzmacher	Date	January 31, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Norman et al.)	Examiner: Baskar, P.
)	
Serial No.	10/712,654)	Group Art Unit: 1645
)	
Filed:	November 12, 2003)	Confirmation No. 8961
)	
For:	ASSAY AND COMPOSITIONS)	Docket No.: GP141-03.UT
	FOR DETECTION OF BACILLUS)	
	ANTHRACIS NUCLEIC ACIDS)	

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JAN 31 2005

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR § 1.97(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant brings to the Examiner's attention the references listed on the attached form PTO/SB/08A (two copies) for consideration in connection with the examination of the above-identified application.

This Information Disclosure Statement (IDS) is being submitted under 37 C.F.R. § 1.97(b) before the mailing date of a first Office action on the merits.

If Applicants are mistaken, and a first Office action on the merits was mailed on or before the certified date of transmission indicated below, then Applicants request that this Information Disclosure Statement be treated as a transmission under 37 C.F.R. 1.97(c). Accordingly, no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in §1.56(c)

Page 1 of 2

INFORMATION DISCLOSURE
STATEMENT

Serial No. 10/712,654
Filed: November 12, 2003
Atty. Docket No. GP141-03.UT

more than three months prior to the filing of this IDS. If any fee is due under 37 C.F.R. § 1.17(p), then Applicants hereby authorize that it be charged to Deposit Account No. 07-0835 in the name of Gen-Probe Incorporated.

Applicant respectfully requests that the Examiner indicate consideration of each cited reference by returning a copy of the attached form PTO/SB/08A with the Examiner's initials or other appropriate marks.

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is being facsimile transmitted (FAX No. 703-872-9306) to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Respectfully submitted,

Dated: January 31, 2005

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PTO/SE/08A (08-03)

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many shoots as necessary)

Sheet	1	of	1
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Complete if Known

Application Number	10/712,654
Filing Date	Nov. 12, 2003
First Named Inventor	Sylvia A. Norman
Art Unit	1645
Examiner Name	Baskar, Padmavathi
Attorney Docket Number	GP141-03.UT

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
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*EXAMINER: Initial & reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Translation is attached.

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PTO/SB/08A (08-03)

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(Use as many sheets as necessary)

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Application Number	10/712,654
Filing Date	Nov. 12, 2003
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Art Unit	1645
Examiner Name	Baskar, Padmavathi
Attorney Docket Number	GP141-03.UT

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature	Date Considered
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